

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In Re:	:	Case No.: 14-58470
	:	
James Kinney	:	Chapter 13
Diane Anderson-Kinney	:	
	:	
Debtors.	:	Judge Hoffman

**DEBTORS' MOTION TO MODIFY PLAN POST-CONFIRMATION**

Debtors move the Court to modify their Chapter 13 Plan. In support of this motion, they aver the following:

1. The Chapter 13 Plan, confirmed on February 2, 2015, presently calls for them to pay \$1695.00 per month and a 100% dividend to the general unsecured creditors. The plan was modified previously on June 9, 2015.

2. Mrs. Anderson-Kinney is temporarily in a nursing home and has incurred medical expenses; therefore, Debtors would like to lower their plan payment to \$550 per month from January 2016-March 2016. The plan payment would resume at \$1695 per month beginning in April 2016. The unsecured dividend would remain 100%.

3. The modification proposed by the Debtors will not negatively affect unsecured creditors.

4. A proposed modified Plan is attached hereto and a copy of the same, together with a copy of this motion, has been sent to the Chapter 13 Trustee, U.S. Trustee, and to the holders of all claims.

**WHEREFORE**, Debtors pray that they be permitted to modify the Plan to conform to the attached modified Plan pursuant to 11 U.S.C. Sec. 1329.

Dated: 12/22/15

/s/ Erin E. Schrader

Erin E. Schrader 0078078  
5 East Long Street Suite 300  
Columbus OH 43215  
614-228-4480

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**MODIFICATION TO CONFIRMED CHAPTER 13 PLAN**

Now come Debtors to modify the Plan to state:

**Debtors shall lower their plan payment to \$550 per month from January 2016-March 2016. The plan payment will resume at \$1695 per month beginning in April 2016. The unsecured dividend will remain 100%.**

Dated: 12/22/15

/s/ Erin E. Schrader  
Attorney for Debtor

**Debtor's Verification**

We declare under penalty of perjury that we have read the attached modification and that it is true and correct to the best of our knowledge, information or belief.

Executed: 12/22/15

/s/ James Kinney

/s/ Diane Anderson-Kinney

Debtors

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**NOTICE AND CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing attached Motion was served by Ordinary U.S. Mail this date on the parties whose names and full addresses are listed below as and for **NOTICE** that the attached Motion has been filed. The undersigned will present to the Court a proposed Order granting the Motion sought unless within twenty-one (21) days after this date a written Memorandum in Opposition, along with a Request for a Hearing on such opposition, is filed with the Clerk of Court, 170 N. High Street, Columbus, Ohio and served on the undersigned.

Dated: 12/28/15

/s/ Erin E. Schrader  
Erin E. Schrader 0078078  
5 East Long Street Suite 300  
Columbus OH 43215  
614-228-4480

Copies to:

2:14-bk-58470|Asst US Trustee (Col) |Office of the US Trustee|170 North High Street|Suite 200|Columbus, OH 43215-2417|  
2:14-bk-58470|CERASTES, LLC |C O WEINSTEIN, PINSON AND RILEY, PS|2001 WESTERN AVENUE, STE 400|SEATTLE, WA 98121-3132|  
2:14-bk-58470|Capital One |Bankruptcy Dept.|P.O. Box 85667|Richmond, VA 23285|  
2:14-bk-58470|Care Credit |GE Card Services|PO Box 966061|Orlando, FL 32896-0001|  
2:14-bk-58470|Cavalry SPV I, LLC |500 Summit Lake Drive, Ste 400|Valhalla, NY 10595-1340|  
2:14-bk-58470|Cavalry SPV I, LLC |Bass & Associates, P.C.|3936 E. Ft. Lowell Road, Suite #200|Tucson, AZ 85712-1083|  
2:14-bk-58470|Chase |P.O. Box 15298|Wilmington, DE 19850-5298|  
2:14-bk-58470|Citibank |P.O. Box 209012|Brooklyn, NY 11220|  
2:14-bk-58470|Citibank, N.A. |701 East 60th Street North|Sioux Falls, SD 57104-0493|  
2:14-bk-58470|Connecticut Department of Revenue Service |C & E Division, Bankruptcy Section|25 Sigourney St Ste 2|Hartford, CT 06106-5032|  
2:14-bk-58470|Dick Masheter Ford |1090 S. Hamilton Rd.|Columbus, OH 43227-1387|  
2:14-bk-58470|Doubleday Book Club |POB 6350|Harlan, IA 51593-1850|  
2:14-bk-58470|Dr. Robert Lowe |181 Granville St|Columbus, OH 43230-2967|  
2:14-bk-58470|Exxon Mobil |POB 6404|Sioux Falls, SD 57117-6404|  
2:14-bk-58470|FORD MOTOR CREDIT COMPANY|P O BOX 62180|COLORADO SPRINGS CO 80962-2180||preferred  
2:14-bk-58470|JC Penney |Bankruptcy Dept.|P.O. Box 103162|Roswell, GA 30076|  
2:14-bk-58470|Juniper Card Services |Po Box 13337|Philadelphia, PA 19101-3337|  
2:14-bk-58470|PORTFOLIO RECOVERY ASSOCIATES LLC|PO BOX 41067|NORFOLK VA 23541-1067||preferred  
2:14-bk-58470|Publishers Clearing House |c/o NSA Collections|POB 9221|Old Bethpage, NY 11804-9021|  
2:14-bk-58470|Sears |POB 6283|Orlando, FL 32896-0001|  
2:14-bk-58470|State of Ohio Department of Taxation |PO Box 182402|Columbus, OH 43218-2402|  
2:14-bk-58470|US Alliance VISA |POB 37603|Philadelphia, PA 19101-0603|  
2:14-bk-58470|USALLIANCE FEDERAL CREDIT UNION |18 COMMERCE WAY, STE 7100|WOBURN, MA 01801-5142|  
2:14-bk-58470|eCAST Settlement Corporation assignee of Cit|NA|POB 29262|New York NY 10087-9262|  
2:14-bk-58470|Diane Anderson-Kinney |1237 Park Plaza Dr.|Columbus, OH 43213-2648||  
2:14-bk-58470|Erin E. Schrader |Rauser & Associates|5 E. Long Street, Suite 300|Columbus, OH 43215-2915||  
2:14-bk-58470|Faye D. English |Chapter 13 Trustee|10 West Broad Street|Suite 900|Columbus, OH 43215-3449|  
2:14-bk-58470|James Kinney |1237 Park Plaza Dr.|Columbus, OH 43213-2648||